

Chairman Genachowski,

I object the merge of AT&T and T-Mobile on the following ground:

1. After merge only AT&T would have GSM-compatible phones on market and it has the policy of NOT allowing customer unlock the phone - only AT&T GSM SIMs can be used in their phones. It practically means the MONOPOLY of GSM service in US.

In other side, T-Mobile allows using their phones with any SIM card by customers and this customer option would be lost.

2. AT&T has a poor choice of mobile handsets and bind it with a specific service. Android updates for AT&T phones come slowly and behind other smartphones - AT&T doesn't prepare up today the latest release of Android 2.3.4 for Nexus S with import security fix. AT&T put all eggs in a single smartphone basket (Apple-based).

In contrast, T-Mobile is a first mobile provider to offer capability of first Android phone (Nexus One) which is definitely a most advanced smartphone up today and continues with Nexus S.

3. Mobile data plan prices on T-Mobile service is much more attractive for generic customer. I still use an unlimited data plan but AT&T recently started capping data traffic on similar plan. I think it would over in a merged company. There are a lot of customers which do not need LTE bandwidth but they want to have a stable existent data. But in the name of LTE AT&T would drive that customers to another and pricey plans. In past AT&T used a forced way to solve similar problem - to release some spectrum AT&T just sent some non-attractive phones to customers and stopped them from using old one and doesn't offer a good choice of new one.

4. Service Quality would be the worst of two companies - in past there were multiple problems with AT&T GSM service in San Francisco Bay Area and this is well published in press.

5. Recently there is a report that AT&T routinely overcharge 20,000,000+ customers for data plan usage. Taking into account the limited capability of traffic verification on today's smartphones (and absence of it in Apple-based handsets) it is definitely a problem for consumer.

See <http://www.dailymail.co.uk/sciencetech/article-1388796/Up-20-million-Americans-systematically-overcharged-AT-T-data-usage.html>

Merge would be an excellent cover-up for this.

6. AT&T offers now a bundling service in form of Ground, Wireless and Mobile package. Although it is a step in good direction it arises new problem for consumer, taking into account the would be duopoly on mobile market. It creates the situation similar to Microsoft Windows and Office binding and in absence of serious competition it would cut a consumer choice and drive price tag up - newcomer would be more difficult to enter the market and compete with bundling service.

- Leonid Yegoshin
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